

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

STEVE STAYTON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:13-cv-00139-AGF
)	
ST. MARY’S HOSPITAL,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff Steve Stayton’s motion for appointment of counsel. Proceeding pro se and in forma pauperis, Plaintiff brings this employment discrimination action against his former employer, St. Mary’s Hospital, alleging termination of his employment on the basis of gender.

There is no constitutional right for a pro se plaintiff to have counsel appointed in a civil case, although the Court has discretion to appoint an attorney to handle such a case when necessary. *See Davis v. Scott*, 94 F.3d 444, 447 (8th Cir. 1996). Among the factors a court should consider in making this determination are the factual complexity of the case; the ability of the plaintiff to investigate the facts and present his claim; the complexity of the legal issues; and to what degree the plaintiff and the court would benefit from such an appointment. *Id.*

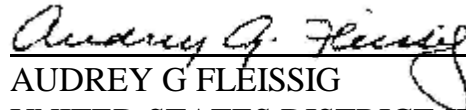
The Eighth Circuit has identified three additional factors relevant to the appointment of counsel in an employment discrimination case: “(1) the plaintiff’s financial resources, (2) the plaintiff’s efforts to secure counsel, and (3) the merits of the

discrimination claim.” *Slaughter v. City of Maplewood*, 731 F.2d 587, 590 (8th Cir. 1984).

Upon review of the file, the Court finds that this dispute is straightforward, and the legal issues are not complex. Thus, the Court concludes that appointment of counsel is not appropriate at this time.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s motion for appointment of counsel is **DENIED** without prejudice. [Doc. # 4]



AUDREY G FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 21st day of March, 2013.